

May-24-08 05:28pm From:Murphy,Pearson,Bradley,Feeney

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T-276 P.002/004 F-010

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E-filed 5/31/05

5 Attorneys for Defendants
 6 TATE & KIRLIN ASSOCIATES

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF DISTRICT
 10 SAN JOSE DIVISION

11 BRIAN MINICK, an Individual on behalf of
 12 himself and all others similarly situated

13 Plaintiff,

14 v.

15 TATE & KIRLIN ASSOCIATES, PAT
 SHARPE, MARK BREWER and SHERMAN
 16 ACQUISITION II LLP a/k/a SHERMAN
 FINANCIAL GROUP and ALEGIS GROUP LP,

17 Defendants.

Case No.: C05 00457 JF

STIPULATION AND [PROPOSED]
 ORDER CONTINUING THE STATUS
 CONFERENCE HEARING

Current CMC Date:

Date: June 10, 2005

Time: 10:30am

Location: Courtroom 3

CMC Date Requested:

Date: June 3, 2005

Time: 10:30am

Location: Courtroom 3

Judge: Honorable Jeremy Fogel

20 Plaintiff BRIAN MINNICK and Defendants TATE & KIRLIN ASSOCIATES, and Defendants
 21 SHERMAN ACQUISITION II through their respective counsel of record in this matter, pursuant to
 22 Civ. L.R. 6-1 and 6.2, hereby stipulate to, and request the court issue an order changing the hearing
 23 dated of the initial case management conference hearing currently set for June 10, 2005. Defense
 24 counsel June Coleman has a previously-scheduled out of town commitment on June 10, 2005. Further,
 25 the parties will be appearing before this court at the hearing on Tate & Kirlin Associates' Motion to
 26 Dismiss on June 3, 2005, and plaintiff's counsel and defense counsel June Coleman will be appearing
 27 before this Court on June 3, 2005, in another case.
 28

May-24-05 05:26pm From-Murphy,Pearson,Bradley,Feeney

+816-563-1627

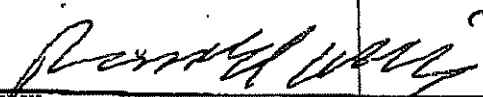
T-278 P.004/004 F-018

Pursuant to this stipulation, the parties respectfully request that the Court issue an order granting the proposed date of the initial case management conference, and that said conference be scheduled for 10:30 a.m. on June 3, 2005, to be heard in Courtroom 3 of the Court.

The parties agree that this stipulation and the resulting changes of the foregoing hearings will not otherwise affect the schedule for this case.

Dated: May 26, 2005


By


 Ronald Wilcox
 O. Randolph Bragg
 Attorneys for Plaintiff
 BRIAN MINICK

Dated: May 20, 2005

MURPHY, PEARSON, BRADLEY & FEENEY


By


 June D. Coleman
 Attorneys for Defendants
 TATE & KIRLIN ASSOCIATES

Dated: May __, 2005

CARLSON, MESSER & TURNER, LLP

By


 Stephen H. Turner
 Gregory K. Kechichian
 Larissa G. Nefulda
 Attorneys for Defendants
 SHERMAN ACQUISITION II

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 5/31/05

/s/electronic signature authorized

Honorable Jeremy Fogel
 Judge, U.S. District Court
 Northern District of California

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Pursuant to this stipulation, the parties respectfully request that the Court issue an order granting the proposed date of the initial case management conference, and that said conference be scheduled for 10:30 a.m. on June 3, 2005, to be heard in Courtroom 3 of the Court.


The parties agree that this stipulation and the resulting changes of the foregoing hearings will not otherwise affect the schedule for this case.

Dated: May _____, 2005

By
Ronald Wilcox
O. Randolph Bragg
Attorneys for Plaintiff
BRIAN MINICK

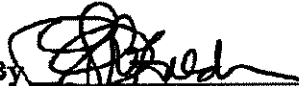
Dated: May 20, 2005

MURPHY, PEARSON, BRADLEY & FEENEY

By 
June D. Coleman
Attorneys for Defendants
TATE & KIRLIN ASSOCIATES

Dated: May 25, 2005

CARLSON, MESSER & TURNER, LLP

By 
Stephen H. Turner
Gregory K. Kochichian
Larissa G. Nefulda
Attorneys for Defendants
SHERMAN ACQUISITION II

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Honorable Jeremy Fogel
Judge, U.S. District Court
Northern District of California

JRJ.10271237.doc